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ABSTRACT

This booklet presents a comprehensive summary of all state laws affecting collective bargaining for educational personnel that had been passed as of November 1975. Most of the booklet consists of an extensive chart that summarizes on a state-by-state basis the scope and provisions of all current collective bargaining laws affecting education. This is basically the same chart that appeared in the 1975 "Legislator's Guide to Collective Bargaining in Education," updated to reflect the changes that occurred during 1975. In addition to the main legislation chart, there is also a summary table that shows which states have collective bargaining laws covering different levels of education, a glossary of key terms used in the chart, and a summary of provisions of the federal National Labor Relations Act and the proposed National Public Employment Relations Act. (JG)

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'76 Update:

Collective Bargaining in Education

A Legislator's Guide

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'76 UPDATE: COLLECTIVE BARGAINING IN EDUCATION

A Legislator's Guide

Report No. 78

(An update of A Legislator's Guide to Collective Bargaining in Education; Research Brief Vol. 3, No. 4, published in January 1975)

Prepared by Doris Ross

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Credits

Thomas A. Emmet, special assistant to the president, Regis College, Denver, has provided special consultative help in the tracking and charting of state legislation.

A special reference in the preparation of the state legislation chart was the *Government Employee Relations Report* published by the Bureau of National Affairs, Inc., Washington, D.C.

Other basic information for this report was drawn from resources developed through the ECS Legislative Information System and state education codes.

Introduction

Collective bargaining for public employes was one of the big legislative issues in 1975. The Research and Information Services Department of ECS identified during the year some 45 states that considered collective bargaining legislation affecting education personnel. But as busy as the year was for state legislators and special interest groups, the broad negotiations picture for education remains essentially the same. The 19 states identified at the end of 1974 as having no mandatory collective bargaining or meet and confer coverage for any sector of their public education personnel have retained their status quo. There are also 19 states with "right to work" laws. Twelve of these have no collective bargaining laws affecting education. The others—Florida, Iowa, Kansas, Nebraska, Nevada, North Dakota and South Dakota—have laws covering at least one area (see summary table on p 5). It should be noted that, with or without enabling legislation, collective bargaining *is* being practiced across the nation.

Much legislative activity was apparent in the ECS overview of state sessions. Over 300 bills were considered on collective bargaining. About 120 of these bills, a number of them in "no bargaining" states, were fairly comprehensive proposals for at least one sector of education personnel. Bills addressing union security and employe rights were high in legislative interest, while management rights received little attention. Close to 90 bills sought solutions for the problem of impasse settlement; these included 34 proposing some form of binding arbitration, 32 providing penalties for strikes and the remainder supporting public employe strike rights. Fourteen bills would have

curtailed the scope of bargaining (see Nevada in state charts), while 10 would have expanded the negotiable areas.

Over the past few years, some postsecondary education institutions have been including students in the bargaining process, usually by mutual agreement of both parties. And in 1975, two states, Montana and Oregon, passed laws permitting such student participation.

State legislatures that began the year with education-related bargaining laws already on the books evidenced some mood for change, which was probably brought about by actual experience with the negotiations process, disruptive strikes and a tight and unpredictable economy, along with the political realities of the public employe bargaining issue. Montana, for example, pulled its collective bargaining structure together into a comprehensive omnibus public employe law, leaving only nurses with separate coverage. California moved from meet and confer status for school district personnel to collective bargaining for K-14 employes. New Hampshire, which last year covered only nonacademic classified state personnel (postsecondary education), passed an omnibus law encompassing the rest of the public-education community, including postsecondary faculty and most K-12 personnel.

Maine's Maritime Academy is apparently the only public postsecondary area now excluded from bargaining in that state; a 1975 university employes bargaining rights act pulled in most employes of the state university system. Connecticut extended bargaining rights to its postsecondary education employes with a new law. Indiana's new public employe law includes most classified education personnel. Washington passed a new K-12 professional employe law and established a public employment relations commission to administer it and other collective bargaining statutes. Many other states amended existing negotiations laws.

With about 150 teacher strikes reported in 1975, legislators have been wrestling—and will continue to do so in 1976—with the issues of strike rights and binding arbitration. A scan of the state charts identifies 4 states—Hawaii, Oregon, Pennsylvania and Vermont—that provide some kind of strike rights, 22 states that prohibit strikes in at least one education-related law, and 5 states that do not address the strike issue. ECS counts 15 states with legal provisions for binding arbitration—either permissive or mandatory, partial or total—of negotiations impasses.

Last year's brief provided a short discussion of two federal public employe bargaining proposals, one placing public employes under the National Labor Relations Act and the other providing separate and specific coverage. Both bills died in committee at the end of the 93rd session but were re-introduced in the 94th as H.R. 77 (NLRA) and H.R. 1488. A charted analysis of the NLRA and H.R. 1488 are included in this book. Two days of hearings were held in November 1975 on H.R. 77 only; no hearings are anticipated in 1976 for either of the federal approaches. Thus it appears that the 50 states will have at least another year to develop individual approaches to the issue.

The collective bargaining story obviously has not yet settled into an uneventful rut. Proponents of bargaining rights will continue to struggle for a toehold, however minor, in those states without laws, while others in opposition to the concept will dig in resistant heels. In states with bargaining laws, new legislative sessions will see the acceptance or rejection of another spate of amendatory proposals to tighten or loosen, expand or repeal, the coverage already on state books.

SUMMARY TABLE

States With Mandatory Laws Fully or Partially Covering Education Personnel

Meet and Confer

Elementary/Secondary (K-12)

Professional		*Classified*	
Connecticut	†Kansas	†Kansas	Missouri
Delaware	Nebraska		
Idaho	Vermont		

Postsecondary

Professional		*Classified*	
Delaware	†Kansas	†Kansas	Missouri

Collective Bargaining

Elementary/Secondary (K-12)

Professional		*Classified*	
Alaska	†Nevada	California	New Hampshire
California	New Hampshire	†Florida	New Jersey
†Florida	New Jersey	Hawaii	New York
Hawaii	New York	Indiana	Oklahoma
Indiana	†North Dakota	†Iowa	Oregon
†Iowa	Oklahoma	Maine	Pennsylvania
Maine	Oregon	*Maryland[1]	Rhode Island
*Maryland	Pennsylvania	Massachusetts	†South Dakota
Massachusetts	Rhode Island	Michigan	Vermont
Michigan	†South Dakota	Minnesota	Washington
Minnesota	Washington	Montana	Wisconsin
Montana	Wisconsin	†Nevada	

Postsecondary

Professional		*Classified*	
Alaska	†Nebraska	Alaska	†Nebraska
California[2]	New Hampshire	California[2]	New Hampshire
Connecticut	New Jersey	Connecticut	New Jersey
†Florida	New York	†Florida	New York
Hawaii	Oregon	Hawaii	Oregon
†Iowa	Pennsylvania	Indiana	Pennsylvania
Maine[3]	Rhode Island	†Iowa	Rhode Island
Massachusetts	†South Dakota	Maine[3]	†South Dakota
Michigan	Vermont[4]	Massachusetts	Vermont[4]
Minnesota	Washington[2]	Minnesota	Washington[2]
Montana	Wisconsin[2]	Montana	Wisconsin

†"Right to work" state
*Shown as meet and confer in prior chart; reclassified on advice of Maryland consultant.
[1]12 of 23 counties covered; Baltimore has separate procedures.
[2]Community colleges or two-year institutions only.
[3]Maine Maritime Academy excluded.
[4]All state university personnel excluded.

SUMMARY TABLE cont.

States With No Mandatory Collective Bargaining Laws Covering Education Personnel

Alabama	Illinois	North Carolina	Utah
Arizona	Kentucky	Ohio	Virginia
Arkansas	Louisiana	South Carolina	West Virginia
Colorado	Mississippi	Tennessee	Wyoming
Georgia	New Mexico	Texas	

Guide to State Legislation Chart

State Keys

In the first column of the state charts ("State and Statutory Reference: Identification"—see p. 6) and below each citation is a quick identification key. On the top line is the type of coverage in the law:

- CB = Collective Bargaining. The process which requires of two parties, the employer and the designated employe collective bargaining agent, that they perform mutual obligations aimed toward the arrival of a written and binding contract.
- MC = Meet and Confer. The process which requires of two parties, the employer and the employe, that they consult together on matters defined by law. Binding contracts and binding arbitration are not generally required.

On the left side of the second line is the level of education personnel covered:

- K-12 = Employes serving kindergarten through grade 12.
- PS = Employes serving at the college and university level.
- CC = Employes serving at the community college, or two-year institution, level.

On the right side of the second line is the employment level of covered personnel:

P = Professional employe, generally a certified teacher or one with similar or higher status.

C = Classified employe, generally below the rank of a certified teacher, i.e., clerks, food employes, bus drivers, custodians, paraprofessionals.

For example, the chart key for California may be interpreted as follows:

CB		=	A Collective Bargaining Law	
K-12 CC	P-C		For personnel serving kindergarten through grade 14	Professional and classified personnel are covered

Glossary of Chart Terms

Agency Shop: An arrangement under which an employe within the scope of the bargaining unit does not have to become a member of the unit, but must pay a service fee.

Arbitration: A procedure whereby parties unable to agree on a solution to a problem indicate their willingness to be bound by the decision of a third party. The parties usually agree in advance on the issues which the third party (arbitrator) is to decide.

Bargaining Unit: A group of employes organized as a single unit and having a single representative to the employer.

Court Review: The means through which a court of appropriate jurisdiction may consider and rule upon actions or findings of a labor relations board.

Dues Checkoff: Deduction of bargaining unit dues from members' paychecks.

Grievance: An allegation by an employe or by the union that the employer or one of its agents, in the process of implementation of the contract, is guilty of misapplication, misinterpretation or violation of one or more specific provisions of the existent contract.

Impasse:	That stage in negotiations at which the two parties are, or appear to be, unable to achieve resolution of the issues still on the bargaining table.
Injunctive Relief:	An order by a court to perform or cease to perform a specific activity.
Management Rights:	Certain rights, privileges, responsibilities and authority requisite to the conduct of an enterprise by its management.
Mediation:	That form of impasse resolution in which a third party meets with the two parties to the dispute, together and/or separately, in order to perform a catalytic function in an effort to effect an agreement.
Recognition:	The accomplishment of the status of collective bargaining agent for a unit of defined extent.
Representation:	Exclusive representation means that the bargaining unit recognized by the employer is the sole representative of employes within a defined category.
Scope of Bargaining:	Bargainable items: the limits, if any, of the appropriate subject matter of bargaining. If such are not set by law, they are determined by the interaction at the bargaining table.
Service Fee:	Payment to the bargaining unit, either directly or through paycheck deduction, by a nonmember eligible for inclusion in the bargaining unit, of a fee substantially equivalent to member dues.
Strike:	A concerted work stoppage, usually used as an effort in time of impasse to accomplish a contract on terms acceptable to the union.

Unfair Practices:	Practices prohibited under either collective bargaining law or under rules and regulations responsibly determined by the appropriate agency administering the law. "Standard" unfair practices include interference, restraint, coercion, discrimination, etc. as practiced by either employer or employe.
Union Security:	The right of a recognized bargaining unit to have its members' dues deducted from paychecks, to collect a service fee from nonmembers, to require employe membership in the bargaining unit, or any combination of these rights.
Union Shop:	The form of union security agreement under which one need not be a member of the union on initial employment but must, within a limited period of time, become and remain a member for the duration of the contract, as a condition of continuing employment.

State Collective Bargaining Laws Affecting Education

ABOUT THIS CHART –

Frankly, it is a "paste-up." To avoid costly typesetting charges, we have cut up and pasted over the ECS chart printed in the January 1975 "A Legislator's Guide to Collective Bargaining in Education," using this type style (slightly different from the original) to indicate additions, clarifications and corrections. The laws have been updated to the best of our knowledge through November 1975.

STATE COLLECTIVE BARGAINING

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
ALABAMA				
ALASKA § A .4.20.550 through A 14.20.610 CB K-12 | P	All certified employes K-12 level	All certified employes; superintendents excluded. Certified administrative personnel, including principals, asst. principals may bargain separately. Exclusive representation; no union security	Local school boards or directors of state-operated schools	Matters pertaining to employment and fulfillment of professional duties
ALASKA Public Employment Relations Act: § 23.40.010 through 23.40.240 CB PS | P-C	All public employes, including professional and classified postsecondary personnel	Units determined by Labor Relations Agency. Exclusive representation; union shop, dues checkoff, service fees permitted	Labor Relations Agency: Department of Labor	Wages, hours, terms and conditions of employment. Merit system retention
ARIZONA				
ARKANSAS				

LAWS AFFECTING EDUCATION

November 1975

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
				A statutory prohibition of public employe membership in labor unions was declared unconstitutional in 1972. State has firefighters bargaining: Tit. 37, § 450(3)
Professional mediators provided	Must be bargained. Must provide binding arbitration	No specific provisions	Final agreement must be made at public meeting. No deadline specified	
Mediation; arbitration	Must be bargained. Must provide binding arbitration	"Standard" provisions (no interference, restraint, coercion, discrimination, etc.). Injunctive relief. Strikes permitted after mediation; to be followed by binding arbitration	Written agreement not to exceed 3 years. No deadline specified	Bargained items requiring funding are subject to legislative approval.
				State has no public employe collective bargaining legislation.
				State has no public employe collective bargaining legislation.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
CALIFORNIA Education Employes Collective Bargaining: SB 160, 1975 CB K-12 | P-C CC	All public school employes except elected, appointed, managerial and confidential. K-14 professional and classified	Separate units for classified, certificated and supervisors. Certificated and supervisors may not have same bargaining agent. Exclusive representation. Dues checkoff, service fees permitted	Educational Employment Relations Board: 3 members appointed by governor	Wages, hours, 7 other terms and conditions of employment as defined in act. Certificated may *consult only* on educational objectives, course content, curricula, textbook selection. School board has final authority on employe relations
COLORADO				
CONNECTICUT General Statutes Annotated: § 10-153a through 10-153g MC K-12 | P	All certified professional employees of town and regional boards of education except superintendents and persons responsible for budget preparation, personnel relations and temporary substitutes. K-12 level	Separate units for administrators and non-administrators may be combined only by mutual agreement. Exclusive representation. No union security	Local and state boards of education	Salaries and other conditions of employment about which either party wishes to meet and confer
CONNECTICUT State Employe Collective Bargaining: PA 75-566 (SHB 5179, 1975) CB PS | P-C CC	All state employes excluding elected, appointed, board and commission members, part-time, confidential, certain others. Supervisor coverage determined by SBLR. Postsecondary professional and classified	All covered employes. Community of interest. Professionals may vote to be in nonprofessional unit. Statewide units for 5 postsecondary classifications. Exclusive representation. Dues checkoff, service fees permitted	State Board of Labor Relations: 3 members, 2 alternates appointed by governor	Wages, hours and other conditions of employment. Extensive management rights listed; state personnel agency authority protected

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding, advisory recommendations	May be bargained. EERB available. Binding arbitration on interpretation of agreement permitted	Standard provisions for unfair practices, injunctive relief, court review. Strikes prohibited through exclusion of act from Labor Code provisions	Written agreement not to exceed 3 years; not subject to civil code. No deadline specified	Act may not preempt Education Code. Other bargaining laws not covering education are: Public Employes, § 3500-3510 of Government Code; State Employes, § 3525-3526 of Government Code; and Firefighters, § 1960-1963 of Labor Code. A 1971 governor's executive order called for meeting and conferring with nonacademic university and college employes on general salary increases, inequities, and general benefits.
				State has no public employe collective bargaining legislation.
Mediation by secretary of state board of education. Arbitration with nonbinding recommendations	No specific provisions	Standard provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement to be completed in time for budget-making process	Agreement is binding on legislative body of town or regional district unless rejected by such body; renegotiation prescribed. A meet and confer law.
Board of Mediation and Arbitration available. Mediation, factfinding, written recommendations	Board of Mediation and Arbitration procedures: factfinding, last best offer, binding arbitration	Standard provisions for unfair practices. Strikes prohibited	Written contract, in time for budget-making process	Request for funds and adjustment of statutory conflicts must be approved by legislative body, after which contracts prevail. Federal approval required where necessary.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
CONNECTICUT Municipal Employes Relations Act: PA 159, L 1959, last amended by PA 75-35, 1975. MC K-12 | C	Any employe of state political subdivision except elected, administrative, board and commission members, certified teachers, part-time and supervisors as determined by SBLR. Covers classified K-12	Appropriate units. Professionals may vote to be in nonprofessional unit. Exclusive representation. Dues checkoff permitted.	State Board of Labor Relations: 3 members, 2 alternates appointed by governor	Wages, hours and other conditions of employment. Management rights, merit system protected
DELAWARE Code: Tit. 14, Ch. 40, § 4001-4013 MC K-12 | P	All certificated non-administrative employes, excluding supervisory and staff personnel. K-12 level	All covered employes. Exclusive representation. Dues checkoff permitted	Local boards and state board of education	Salaries, employe benefits and working conditions must be bargained. May meet and confer on other matters as defined in act
DELAWARE Code: Right of Public Employes to Organize: Tit. 19, Ch. 13, § 1301 through 1313 MC PS | P	Any certificated professional employe of public school system of state; includes postsecondary	Unit determination not specified. Exclusive representation. Dues checkoff permitted	Department of Labor and Industrial Relations	Employe relations, wages, salaries, hours, vacations, sick leave, grievance procedures, other terms and conditions of employment
FLORIDA Statutes: Public Employe Relations Act: § 447.001 through 447.023 CB K-12 PS CC | P-C	Public employes; K-12 and postsecondary levels included; professional and classified	Criteria listed for appropriateness of unit. Final review of unit determination by Public Employe Relations Commission. Exclusive representation. Dues checkoff permitted	Public Employe Relations Commission: 5 members appointed by governor	Wages, hours, terms and conditions of employment. Extensive management rights; merit system protected
GEORGIA				

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, factfinding through Board of Mediation and Arbitration. Written recommendations; final offer binding arbitration	May be bargained. Board of Mediation and Arbitration available. Mediation, factfinding, last best offer binding arbitration	Standard provisions for unfair practices. Strikes prohibited	Written contract in time for budget-making process if requested by either party	A meet and confer law. Request for funds and adjustment of legal or regulatory conflicts to be approved by legislative body, after which contracts prevail. Federal approval required where necessary.
Mediation, factfinding, nonbinding recommendations	No specific provisions	Unfair practices defined as any tactic which circumvents teacher contracts. Strikes prohibited, with loss of unit recognition for violation	Form of minimum 2-year agreement not specified. No deadline specified	A meet and confer law. If law is in conflict with other statutes, those statutes prevail.
State mediation service or arbitration. Wages and salaries excluded	May be bargained	Standard provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement. No deadline specified	A meet and confer law.
Mediation, "special master" for public hearings, factfinding. Settlement by appropriate legislative body	Must be bargained; must provide for binding disposition	Standard provisions for unfair practices; injunctive relief. Strikes prohibited, listed as unfair practice; injunctive relief; fines, damages, probation, loss of unit recognition for violation	Written contract. No deadline specified	Impasse to be declared if no agreement after 60 bargaining days or 70 days prior to budget submission date. Legislative last resort settlement of impasse. Legislature has right to approve, amend or rescind all rules of PERC.
				State has Firefighters Bargaining Law: Code of Georgia Annotated, § 54.1301 through 54.1315

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
HAWAII Statutes: Public Employees Act: § 89-1 through 89-17 **CB** **K-12 PS** | **P-C**	Any person employed by a public employer except elected and appointed officials and top level management. K-12 and postsecondary levels; professional and classified	13 categories for appropriate units listed, including teachers and other personnel on same salary schedule; education officers and others on same salary schedule; faculty of University of Hawaii & Community College System; other postsecondary personnel. Exclusive representation; Dues checkoff, service fee permitted	Public Employment Relations Board: 3 members, 1 management, 1 labor, 1 public, appointed by governor. Office of collective bargaining with chief negotiator established within governor's office	Wages, hours, other terms and conditions of employment. Specific exclusions. Extensive management rights; merit system protected
IDAHO Code: § 33-1271 through 33-1276 **MC** **K-12** | **P**	Certificated employes of school districts. K-12 level.	Superintendents, supervisors and principals may be excluded from professional employe group by agreement. Exclusive representation. No union security	Local board of trustees of school district	Specified in agreement. School board "necessary action" protected
ILLINOIS				

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding; may culminate in binding arbitration by mutual agreement	May be bargained. Must culminate in final binding agreement	Standard provisions for unfair practices. Strikes permitted after factfinding if no arbitration occurs	Written contract. Reasonable effort must be made to conclude prior to legislative appropriation of cost items Expiration date of contracts must be June 30 of odd years	Students and student help of state institutions excluded from act. Terms of agreement within legal scope of bargaining prevail over existing rules and regulations of employer. Act takes precedence over all conflicting statutes; preempts all contrary local regulation.
Mediation, factfinding, nonbinding recommendations	No specific provisions	No specific provisions	Final form not specified. No deadline specified	A meet and confer law. Powers, duties and responsibilities of legislature, state board of education, local boards are protected. State has firefighters bargaining act: Ch. 138, L.1970.
				State has no public employe collective bargaining legislation. Under a 1966 judicial ruling, teachers and local employes may bargain collectively. State universities have conducted bargaining under personnel code. State executive branch employes, under 1973 executive order, may negotiate wages, hours and certain conditions of employment not regulated by law. HB 1343 of 1975 allows Chicago school board and employes to bargain.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
INDIANA Burns Annotated Statutes: § 28-4551 through 28-4564 CB K-12 | P	Certificated employes. Supervisors, confidential employes, security employes and noncertificated employes excluded. K-12 level	Certificated employe organization. Exclusive representation. Dues checkoff permitted	Education Employment Relations Board: 3 members appointed by governor	Salaries, wages and related fringe benefits, hours. Deficit financing prohibited. Extensive management rights listed
INDIANA Public Employe Labor Relations: Ch. 4, IC 22-6 (HB 1298, 1975) CB K-12 | C PS	Employes of political subdivisions of state except appointed or elected, police, fire, engineers, university faculty, certificated K-12, confidential, municipal or county health care. Covers K-12 and postsecondary classified	All covered employes. Units may not include supervisors with other employes. Majority membership required for exclusive representation. Dues checkoff permitted	Education Employment Relations Board: 3 members appointed by governor	Wages, hours and other terms and conditions of employment. Extensive management rights listed
IOWA SF 531 of 1974 CB K-12 | P-C PS	Public employes, excluding administrators, supervisors, superintendents, principals, asst. principals, elective officials, certain students. K-12 and postsecondary levels; professional and classified	Professional and nonprofessional employes; separate or single unit by agreement. Exclusive representation. Dues checkoff permitted	Public Employment Relations Board: 3 members appointed by governor	Wages, hours, terms and conditions of employment, including health, safety, evaluation, in-service training, mutually agreed-upon matters. Retirement excluded. Extensive management rights listed
KANSAS Revised Statutes: § 72-5413 through 72-5425 MC K-12 | P CC	All professional employes. K-12 and community college levels	Separate teacher and administrator units. State board to settle unit determination disputes. Exclusive representation. No union security	State board of education	Terms and conditions of professional service

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation and factfinding by Education Employment Relations Board	May be bargained. May be subject to binding arbitration; change in contract prohibited. Complaints to and hearing by EERB	Standard provisions for unfair practices. Strikes prohibited, with no makeup time; salary loss, loss of dues checkoff for violation	Written contract. If agreement is not reached 14 days before budget submission date, tentative individual contracts authorized; bargaining to continue	Contracts may not include provisions in conflict with rights or benefits established by federal or state law.
If not otherwise agreed, mediation and factfinding by EERB. Binding recommendations at request of either party. Final and binding arbitration permitted; last best offer provisions	May be bargained. May provide binding arbitration	Standard provisions for unfair practices. Strikes prohibited; pay loss, loss of dues checkoff for violation	Written contract if requested by either party	Contracts may not conflict with established federal or state law. Deficit financing prohibited. A 1969 attorney general's opinion states that public employers, including boards of higher education, may not engage in collective bargaining until authorized by legislature.
Mediation, factfinding, binding arbitration	May be bargained; may provide binding arbitration	Standard provisions for unfair practices. Strikes prohibited; injunctive relief. Fines, dismissal, loss of organization recognition for violation	Final form not specified, must be made public. Impasse procedures must begin 120 days before budget submission date	Contract is not to be inconsistent with statutory limitations on public employer funds. If provisions of act jeopardize federal funds to state, they are inoperative.
No specific provisions	May be bargained; may provide binding arbitration	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Final form not specified, but not to exceed 2 years. No deadline specified	A meet and confer law. Supreme court ruled in 1973 that Act requires negotiation, not merely meeting and conferring; written agreement in master or individual contracts; binding on both parties.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
KANSAS Public Employe Law: Revised Statutes: § 75-4321 through 75-4337 MC K-12 | C PS | P-C	Public employes. Classified K-12; professional and classified postsecondary included	Public employes, including supervisors by agreement. Exclusive representation. No union security	Public Employe Relations Board: 5 members; 1 public employe, 1 management, 3 at-large, appointed by governor	Conditions of employment, including salaries, wages, hours, etc.
KENTUCKY				
LOUISIANA				
MAINE University Employes Bargaining Rights: Tit. 26, Ch. 12; § 1021-1034 CB PS | P-C	Regular employes of University excluding appointed, confidential, probationary. Postsecondary professional and classified	Systemwide units for faculty; administrative; office/technical; service; police. Additional units may be added. Exclusive representation. Union security (except closed shop) may be bargained	Maine Labor Relations Board: 3 members, 6 alternates appointed by governor; 1 employer, 1 employe, 1 public	Wages, hours, working conditions, contract grievances, arbitration. Federal assistance protected

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, factfinding	May be bargained	Standard provisions for unfair practices. Strikes prohibited; injunctive relief	Written memo of agreement to be completed 14 days before budget submission date	A meet and confer law.
				State has Firefighters Collective Bargaining Act: Kentucky Revised Statutes, Ch. 345 (cities over 300,000 or by petition); county policemen's collective bargaining (over 300,000); KRS Ch. 78. A 1965 attorney general's opinion (65-84) indicated a right of teachers to bargain collectively. Recent teacher attempts to organize have been refused by the courts and attorney general. A 1975 attorney general's opinion states governor is not authorized to grant bargaining rights to teachers' unions.
				State has no public employe collective bargaining legislation.
Mediation, factfinding, binding arbitration except on cost items. MLRB available	Contract grievance arbitration must be bargained. Binding arbitration only on interpretation of agreement. Court Injunctive relief, court review	Standard provisions for unfair practices. Strikes prohibited, listed as unfair.	Written contract not to exceed 2 years. No deadline specified	Prior to 1974, 6 vocational institutions under state department of education voluntarily negotiated faculty contracts. Maine Maritime Academy professional and classified excluded from bargaining rights.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
MAINE Municipal Employe Law: Revised Statutes: Tit. 26, § 961 through 972 CB K-12 | P-C	Any municipal or political subdivision employe except superintendent, asst. superintendent, probationary, provisional, temporary, seasonal, on-call, or part-time employe; state board and staff also excepted. K-12 level; professional and classified	Employer or Executive Director of Maine Labor Relations Board to determine unit. Principals, asst. principals, supervisory teachers may be included in teacher unit. Professionals may vote to be included in nonprofessional unit. Exclusive representation. No union security	Maine Labor Relations Board: 3 members, 6 alternates appointed by governor; 1 employer, 1 employe, 1 public	Must bargain wages, hours, working conditions and grievance arbitration. Must meet and confer on educational policies. Merit system protected
MAINE State Employe Law: Revised Statutes: Tit. 26, § 979 through 979n CB PS | C	Any state employe except elected or appointed. Interpretation includes postsecondary classified personnel, excludes faculty	All covered employes. Exclusive representation. No union security	Maine Labor Relations Board: 3 members, 6 alternates appointed by governor; 1 employer, 1 employe, 1 public	Wages, hours, working conditions, contract grievance arbitration, employe-employer relationships, other items not controlled by law. Merit system protected. Eligibility of state for federal grants in aid and assistance programs protected
MARYLAND Annotated Code: Art. 77, § 160 CB K-12 | P	Certificated employes of public schools and persons of equivalent status in Baltimore City; except superintendents and those designated as employer negotiators. Covers K-12 professionals	Unit determined by employer after negotiations & other requirements met; no more than 2 units per employer. Exclusive representation. Dues checkoff permitted	Local boards and state board of education	Salaries, wages, hours and other working conditions

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation and/or fact-finding. MLRB and Maine Board of Conciliation & Arbitration available. Binding arbitration on all matters by mutual consent: if none, binding arbitration on matters other than salaries, pensions, insurance	Mediation, fact-finding. Binding arbitration permitted on interpretation of contract. MLRB & MBCA available	Standard provisions for unfair practices. Strikes prohibited, listed as unfair practice; injunctive relief	Written contract not to exceed 3 years. No deadline specified	
Mediation and/or fact-finding. MLRB and Maine Board of Conciliation & Arbitration available. Binding arbitration on all matters by mutual consent: if none, binding arbitration on matters other than salaries, pensions, insurance	May be bargained. Binding arbitration may be included to supersede other procedures in statutes. State Employe Appeals Board to resolve if grievance procedures not bargained	Standard provisions for unfair practices. Strikes prohibited, listed as unfair practice; injunctive relief, court review	Written contract not to exceed 2 years. Cost items must be submitted to governor 10 days after ratification	Legislature has right to reject cost items; renegotiation required. It is responsibility of legislature to act on tentative agreements which require legislative action. To coordinate employer position in negotiation of agreements, legislative council is to maintain liaison with employer relative to cost items.
State supt. determines impasse exists; mediation, nonbinding recommendations	Binding arbitration of grievances may be bargained	Standard provisions for unfair practices. Strikes prohibited; loss of dues checkoff and exclusivity rights for 2 years for violation	Written agreement. No deadline specified	

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
MARYLAND Annotated Code: Art. 77, § 160a CB: K-12 | C	In 12 of 23 counties, noncertificated employe organizations may be recognized by public school employer. K-12 classified level	Unit determined by employer after negotiations & other requirements met; no more than 3 units per employer. Exclusive representation. Dues checkoff permitted	Local boards and state board of education	Salaries, wages, hours and other working conditions
MASSACHUSETTS General Laws Annotated: State-County-Municipal Employe Law: Ch. 150-E, § 1-15, 1974 CB: K-12 PS | P-C	All state, county and municipal employes, including teachers, and excepting elected officials, board and commission members, police and executive officers. K-12 and postsecondary levels; professional and classified	State Labor Relations Commission to determine appropriateness of units. Exclusive representation. Service fees, dues checkoff permitted in specified areas	Labor Relations Commission: 3 members appointed by governor	Wages, hours, standards of productivity and performance and other conditions of employment
MICHIGAN Statutes Annotated: Public Employe Relations Act: § 423.201 through 423.216 CB: K-12 | P-C; PS | P	All public employes except those in state classified service. K-12 professional and classified; postsecondary professional	Determination of unit by MERC. Executives and supervisors excluded from employe unit; execs may form own unit. Exclusive representation. No union security	Michigan Employment Relations Board: 3 members appointed by governor, confirmed by senate	Wages, hours and other terms and conditions of employment
MINNESOTA Statutes Annotated: Employment Relations Act: § 179.61 through 179.87 CB: K-12 PS | P-C	All public employes except elected officals, election officers, National Guard and some temporary or part-time employes. K-12 and postsecondary levels; professional and classified	Public employe organizations. Principals, asst. principals, supervisors and confidential employes excluded, but may form own unit. Determination of units by PERB. Exclusive representation. Dues checkoff permitted	Public Employment Relations Board: 5 members appointed by governor, 1 at large, 2 employer, 2 employe	Matters pertaining to terms and conditions of employment and grievance procedures. Employer is not required to negotiate inherent managerial policy
MISSISSIPPI				

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation by mutual agreement; nonbinding recommendations. State board available	Binding arbitration of grievances may be bargained	Standard provisions for unfair practices. Strikes prohibited; loss of dues checkoff and exclusivity rights for 2 years for violation	Written agreement. No deadline specified	Baltimore City and 3 counties have separate procedures for classified personnel.
Board of Conciliation and Arbitration mediation, factfinding, binding recommendations if mutually agreed by parties and authorized by legislature	May be bargained; binding arbitration permitted. Board of Conciliation and Arbitration available	Standard provisions for unfair practices. Strikes prohibited; injunctive relief. Salary loss, no makeup, discipline and discharge for violation	Written contract not to exceed 3 years. No deadline specified	Legislature authorizes binding arbitration of conract disputes. Request for funding to be submitted to legislature within 30 days after agreement. If rejected, renegotiation prescribed.
Mediation and factfinding; nonbinding recommendations via MERC	May be bargained. Mediation via MERC	Standard provisions for unfair practices. Strikes prohibited; discipline, dismissal for violation	Written contract. No deadline specified	
Final and binding arbitration. Attorney general opinion states that work week and hours are proper arbitrable items	Must be bargained; must provide compulsory binding arbitration	Standard provisions for unfair practices. Strikes prohibited; loss of unit recognition, dismissal for violation	Written contract. No deadline specified	Agreements on wages and economic fringe benefits are subject to legislative approval; renegotiation prescribed.
				State has no public employe collective bargaining legislation.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
MISSOURI Vernon's Annotated Statutes: Public Employe Law: § 105.500 through 105.540 MC K-12 PS | P-C	Public employes, excluding K-12 and post-secondary teachers and certain others. K-12 and post-secondary classified included	Appropriate unit; community of interest. State Board of Mediation to resolve unit disputes. Exclusive representation. No union security	Public employer	Proposals relative to salaries and other conditions of employment
MONTANA Public Employe Law: HB 481, 1975; § 59-1601 through 1616 CB K-12 PS CC | P-C	Public employes, excluding elected, appointed, supervisory, administrative, school district clerks, engineers. K-12, post-secondary and community college personnel covered at professional and classified levels with stated exceptions	Board of Personnel Appeals decides unit. Exclusive representation. Dues checkoff permitted. Service fees to union selected charity	Board of Personnel Appeals: 5 members; 2 management, 2 labor, 1 public appointed by governor	Wages, hours, fringe benefits, other conditions of employment. Extensive management rights listed
NEBRASKA Revised Statutes: Teachers Professional Negotiations Act: § 79-1287 through 79-1295 MC K-12 | P	Certificated employes in Class III, IV, V school districts. K-12 level	Unit not specified. Exclusive representation. No union security	Local school board	Employment relations and mutually agreed-to matters

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
No specific provisions	No specific provisions	Standard provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement. No deadline specified	Agreement to be presented to appropriate legislative body in proper form for adoption, modification or rejection. A meet and confer law. State supreme court decision, February 1974 says teacher organizations are not labor organizations; negotiations are not prohibited; agreements for professional consultation are legal, but may not be binding on school boards.
Mediation, factfinding through BPA. Binding arbitration by agreement of both parties	No specific provisions	Standard provisions for unfair practices. No specific provisions for strikes	Written contract. No deadline specified	Students have a role in postsecondary faculty bargaining, and representation at bargaining sessions. Supreme court in November 1974 ruled that public employe strikes are allowed at any point in negotiations.
Factfinding board and nonbinding recommendations	No specific provisions	No specific provisions	Written agreement. No deadline specified	A meet and confer law.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
NEBRASKA Revised Statutes: Public Employes Act: § 48-801 through 48-837 CB PS | P-C	Public employes, postsecondary professional and classified included	Unit not specified. Exclusive representation. No union security	State Court of Industrial Relations: 5 judges appointed by governor	Conditions of employment, including wages and hours
NEVADA Revised Statutes: Local Government Employes Management Relations Act: § 288-010 through 288-280 CB K-12 | P-C	Local government employes. K-12 level; professional and classified	Principals, asst. principals or other administrators below may not be in teacher unit unless district employs less than 5 principals. Separate units otherwise. Exclusive representation. Dues checkoff permitted	Local Government Employe Management Relations Board: 3 members appointed by governor. 10-member advisory committee: 5 employer, 5 employe appointed by governor	Wages, hours, conditions of employment. Written notice of negotiation to employer by Jan. 15 if funds involved. Required scope restricted to 20 items. Extensive management rights listed
NEW HAMPSHIRE State Employe Bargaining Rights: Ch. 273-A CB K-12 | P-C PS	All public employes, excluding elected, appointed, confidential, temporary. K-12, postsecondary; professional and classified covered	Community of interest determined by PELRB. Not less than 10 employes per unit; units may combine for bargaining on approval of mutual employer. Professionals and nonprofessionals may vote for inclusion in same unit. Supervisors must have separate units. Exclusive representation. No union security	Public Employe Labor Relations Board: 5 members appointed by governor; 2 labor, 2 management, 1 public	Wages, hours and other conditions of employment. Merit system, managerial prerogative protected

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Binding arbitration by Court of Industrial Relations	May be bargained	Standard provisions for unfair practices. No specific provisions for strikes	Written contract required to cover biennial period coinciding with state budgeting period. No deadline specified	Written contract is subject to legislative approval.
Mediation and factfinding mandatory by various dates. Governor has authority to make factfinder recommendations binding within 10 days of legislature's adjournment	May be bargained if related to interpretation of agreement. Appeals and disputes to LGMRB. Court review available	Standard provisions for unfair practices. Strikes prohibited; no strike pledge required for recognition. Fines, salary loss, dismissal for violation; injunctive relief	Written contract at request of either party; complete by May 5 or within 10 days of legislature's adjournment	Governor has authority to make contract impasse factfinding recommendations binding within 10 days of legislature's adjournment. Contrary to earlier reports, the community college system is part of the University of Nevada system and all of its employes are not covered under this act.
Mediation, factfinding, nonbinding recommendations. PERLB involvement. Legislative body involvement	Must be bargained	Standard provisions for unfair practices. Strikes and lockouts prohibited; injunctive relief, court review	Written contract by budget submission date	Cost items must be submitted to appropriate legislative body for approval; if rejected, renegotiation prescribed.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
NEW JERSEY Statutes Annotated: Employer-Employe Relations Act: § 34:13A-1 through 34:13A-13 CB K-12 | P-C PS CC	All employes: state, county, municipal. Excludes elected, board & commission members, confidential and managerial (in school district, managerial exclusions are limited to superintendent, other chief administrators, assistant superintendents). K-12 and postsecondary levels; professional and classified	No unit may contain supervisors and nonsupervisors. Exclusive representation. No union security	Public Employment Relations Commission: 7 members; 2 employer, 2 employe, 3 public appointed by governor	Grievances and terms and conditions of employment
NEW MEXICO				
NEW YORK McKinney's Consolidated Laws Annotated: Taylor Act: Secs. 200-214, Civil Service Law CB K-12 | P-C PS	Any person holding a position by employment or appointment with a unit of government. K-12 and postsecondary levels; professional and classified. Managerial, confidential, militia excluded	Community of interest. Final decision by Public Employment Relations Board. Exclusive representation. Dues checkoff permitted	Public Employment Relations Commission: 3 members appointed by governor	Terms and conditions of employment; grievance procedures

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding and arbitration	Must be bargained. May provide for binding arbitration	Standard provisions for unfair practices; injunctive relief. No specific provisions for strikes	Written contracts. Deadline date regulated by PERC	Provisions of act may not annul or modify state personnel statutes.
				State has no public employe collective bargaining legislation; but an April 14, 1971 attorney general's opinion indicates a limited collective bargaining right for public employes and teachers. State personnel board rules include limited bargaining procedure for classified state employes
Parties to develop own procedures; may include voluntary arbitration. Mediation and factfinding available. Impasse declared 120 days prior to FY; 10 days after factfinding, legislature may intervene	Must be bargained	Standard provisions for unfair practices. Strikes prohibited; no strike pledge required for recognition; salary loss for violation	Written contract. No deadline specified	Any agreement requiring legislative action to permit implementation or additional funds must be approved by legislature.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
NORTH CAROLINA General Statutes				
NORTH DAKOTA Century Code: § 15-38-1.01 through 15-38-1.15 CB K-12 | P	All classroom teachers and administrators employed by a public school system. K-12 level	Teachers and administrators may not be in same unit. Employer determines appropriate unit. Exclusive representation. No union security	Education Fact-finding Commission: 3 members; 1 appointed by state education superintendent; 1 by governor; 1 by attorney general	Terms and conditions of employment; employer-employe relations, salaries, hours. Extensive management rights listed
OHIO				
OKLAHOMA Statutes Annotated: § 509.1 through 509.10 CB K-12 | P-C	All employes in district. Those not wishing representation may so state in writing to local board. K-12 level; professional and classified	Separate units for certified teachers and nonprofessional employes. Exclusive representation. No union security	Local boards of education	Items affecting the performance of professional services
OREGON Revised Statutes: Public Employer Law: § 243.711 through 243.795 CB K-12 | P-C PS	Public employes excluding elected, appointed, confidential or supervisory. K-12 and postsecondary levels; professional and classified	No specific provisions for unit. Exclusive representation. Dues checkoff, service fees, union or agency shop permitted	Public Employe Relations Board: 5 members appointed by governor.	Including but not limited to salaries, benefits, hours, terms and conditions of employment

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
				State has no public employe collective bargaining legislation. NCGS: § 95-85 through 95-88, barring public employe membership in national labor organizations was declared unconstitutional by U.S. District Court in 1970; section forbidding state contracts with unions was upheld.
Mediation, fact-finding with nonbinding recommendations via Education Fact Finding Commission. Parties may agree to own procedures	May be bargained. Board required to meet and negotiate any question arising out of interpretation of agreement	Standard provisions for unfair practices. Strikes prohibited; salary loss for violation	Written contract. No deadline specified	State also has public employe law dealing with mediation of disputes which would cover postsecondary classified employes: NDCC: § 31-11-01 through 31-11-05
				State has no public employe collective bargaining legislation
Parties must develop procedures. 3-member factfinding may be used on impasse	No specific provisions	Discrimination against employes exercising rights is unfair practice. Strikes prohibited; salary loss, loss of unit recognition for violation	No specific provisions	State has fireman, policeman and municipal employe collective bargaining: OSA: § 548.1 through 548.14
Mediation, fact-finding, binding arbitration	May be bargained	Standard provisions for unfair practices Strikes by unit members permitted if not endangering public well-being; and after exhaustion of specific procedures. Enjoined strikes must be submitted to binding arbitration. Strikes prohibited if agreement contains binding arbitration provisions	Written contract if requested by either party. No deadline specified	

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
PENNSYLVANIA Purdon's Statutes Annotated: Public Employe Relations Act: Tit. 43, § 1101.101 through 1101.2301 CB K-12 | P-C PS	Public employes, excluding elected, governor appointed, management, confidential. K-12 and postsecondary levels; professional and classified	Appropriate units. Disputes to be settled by Labor Relations Board. Exclusive representation. Dues checkoff, membership maintenance permitted	Labor Relations Board: 3 members appointed by governor	Wages, hours and terms and conditions of employment. Extensive management rights listed
RHODE ISLAND General Laws: School Teachers Arbitration Act: § 28-9.3-1 through 28-9.3-16 CB K-12 | P	Certified teachers employed in any public school system, excluding superintendents, asst. superintendents, principals, asst. principals. K-12 level	All covered employes. Exclusive representation. Service fees permitted	State Labor Relations Board: 3 members appointed by governor; 1 management, 1 labor, 1 public	Hours, salaries, working conditions, terms and conditions of professional employment
RHODE ISLAND General Laws: State Employes: § 36-11-1 through 36-11-12 CB PS | P-C	All public, state employes, including postsecondary level; professional and classified	All covered employes. Exclusive representation. Service fees permitted	State Labor Relations Board: 3 members appointed by governor; 1 management, 1 labor, 1 public	Wages, hours, working conditions
RHODE ISLAND General Laws: Municipal Employes Arbitration Act: § 28-9.4-1 through 28-9.4-19 CB K-12 | C	Any employe of municipal employer (including school boards), except elected, management, etc., and teachers. Covers nonteaching K-12 personnel	All covered employes. Exclusive representation. No union security	State Labor Relations Board: 3 members appointed by governor; 1 management, 1 labor, 1 public	Hours, salary, working conditions, all other terms and conditions of employment
SOUTH CAROLINA				

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mutual voluntary binding arbitration permitted. Mediation, fact-finding mandatory by budget submission date timetable	May be bargained. Arbitration mandatory	Standard provisions for unfair practices. Strikes prohibited if "clear and present danger" to public well-being. Otherwise permitted after exhaustion of bargaining procedures	Written contract. No deadline specified	Contract may not violate statutes. State has separate collective bargaining laws for (1) police and firemen: SB 1343 L 1968; and (2) municipal transit employes: Act 228 L 1967.
Mediation if requested within 30 days of start of bargaining. Ad hoc panel to provide binding arbitration on all non-fund matters	No specific provisions	No specific provisions	Written contract not to exceed 3 years. No deadline specified	In January 1973, the state supreme court ruled teacher strikes illegal and subject to injunction. Decision also eliminated ex parte injunction.
Mediation, fact-finding, binding arbitration on non-fund matters	May be bargained	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Written contract. No deadline specified	State has fireman collective bargaining law: § 28-9.1-2 through 28-9.1-14 and policeman collective bargaining law: § 28-9.2-2 through 28-9.2-14
Mediation, conciliation, binding arbitration on non-fund matters. State director of labor available	No specific provisions	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Written contract not to exceed 3 years. No deadline specified	
				State has Grievance Procedures Acts for state, county and municipal employes: SB 121 and SB 124, L1971; but no public employe collective bargaining legislation.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
SOUTH DAKOTA Compiled Laws: Public Employe Negotiation Law: § 3-18-1 through 3-18-20 CB K-12 | P-C PS	Any person holding a position by appointment or employed with state public service. K-12 and postsecondary level; professional and classified	Appropriate unit; dispute to be resolved by Commissioner of Labor and Management Relations. Exclusive representation. No union security	Commissioner of Labor and Management Relations	Wages, hours and other terms and conditions of employment
TENNESSEE				
TEXAS Vernon's Codes Annotated				
UTAH				
VERMONT Statutes Annotated: Labor Relations Act for Teachers: Tit. 16, § 1981 through 2010 MC K-12 | P	All certified teachers and administrators in publicly funded schools	Separate units for teachers and administrators. Exclusive representation. No union security	No specific provision	Salaries, related economic conditions of employment, grievance procedures, other mutually agreed items not in conflict with statutes. Extensive management rights

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation with Commissioner of Labor and Management Relations available; other procedures optional	Employer to establish grievance procedures; binding decision by Commissioner of no local solution	Standard provisions for unfair practices. Strikes prohibited; injunctive relief; court review	Written contract. No deadline specified	Agreements must be submitted to appropriate legislative body, governing body or officer for approval and necessary implementation.
				State has no public employe collective bargaining legislation.
	Boards of trustees and administrative personnel of school districts may consult with teachers on matters of educational policy and conditions of employment: VTCA § 13.901. In May 1967 (#M-77) attorney general ruled that public employes have the right to present grievances concerning wages, hours or working conditions through a union not claiming the right to collective bargaining or strikes. VTCA § 22.276 forbids public employe collective bargaining contracts or strikes. State has Fire and Police Employe Relations Act permitting collective bargaining in local jurisdictions only after petition and public referendum: HB 185 of 1973. A 1975 attorney general's opinion states that employers are obligated to hear grievances, but not to bargain.			
				State has firefighters law, SB 190, 1975. The Right to Work law allows organization but not negotiation.
Mediation, fact-finding, nonbinding recommendations. American Arbitration Association may assist. Employer decision final	Must be bargained	No specific provisions for unfair practices. Actions posing "clear and present danger to sound program of school education" prohibited; injunctive relief	Written agreement. No deadline specified	A meet and confer law.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
VERMONT Ch. 27, L 1969: State Employe Labor Relations Act. CB K-12 | P-C PS Coverage is selective: all state university personnel excluded	State employes including: certified primary and secondary teachers at state hospital, state training school for retarded, state juvenile correctional institution; faculty and nonfaculty at state colleges; state police. Excluding: certain exempt personnel, administrative, management, etc. Excluding: all personnel at state university	Appropriate unit determined by Employe Labor Relations Board. Exclusive representation. No union security	State Employe Labor Relations Board: 3 members appointed by governor	Wages, salaries, hours, other terms and conditions of employment not in conflict with statutes. Merit system principles protected
VERMONT Statutes Annotated: Municipal Employe Relations Act: § 21-1721 through 21-1734 CB K-12 | C	Municipal employes, including school district classified personnel; excluding elected, supervisors, confidential, certified, etc. K-12 level	Separate units for professional and nonprofessional. Exclusive representation. Dues checkoff, service fees permitted	State Employe Labor Relations Board: 3 members appointed by governor	Wages, hours, conditions of employment
VIRGINIA				
WASHINGTON Revised Code Annotated: § 28B.16.100 CB PS CC | C	State classified employes including postsecondary	Appropriate units. Exclusive representation. Dues checkoff permitted	State Personnel Board	Grievance procedures and all personnel matters over which institutions or related boards may lawfully exercise discretion

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Factfinding by panel to ELRB; ELRB recommendations binding only by mutual agreement; may not conflict with statutes	Rules and final determination by ELRB	Standard provisions for unfair practices; implied discipline. Strikes prohibited; listed as unfair practice; implied discipline. Teachers considered municipal employes for enforcement of sections dealing with unfair labor practices. See Municipal Employe Relations Act below	Written contract not to exceed 3 years	
Mediation, factfinding, advisory recommendations; voluntary binding arbitration	May be bargained. Binding arbitration of contract interpretation grievances may be included. Voluntary binding arbitration of tenure grievances must be only procedure for such; supersedes state law	Standard provisions for unfair practices. Strikes permitted only: 30 days after factfinding, after binding arbitration award, and if no danger to public well-being. Injunctive relief	Written contract. No deadline specified	Contracts must not violate state law. Contracts which violate ordinance, by-law, rule or regulation must be approved by appropriate legislative body. Voluntary binding arbitration awards in tenure grievances may supersede state law.
				State has no public employe collective bargaining legislation. In July 1962 and February 1970, attorney general's opinions ruled that local employes and teachers have the right to bargain.
No specific provisions	May be bargained	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement. No deadline specified	Fund matters subject to approval of chief financial officer.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
WASHINGTON Education Employe Collective Bargaining: SB 2500, HB 1230, 1975 CB: K-12 | P	Any certificated employe of school district, excluding superintendents, administrators, confidential. K-12 professional level	All covered employes. Units may contain varied combinations of supervisors and nonsupervisors by majority vote of both. Nonsupervisor units must include all such. Exclusive representation. Dues checkoff, service fees permitted	Public Employment Relations Commission: 3 members appointed by governor	Wages, hours terms and conditions of employment. Prior law not to affect scope. Supervisor only units limited to compensation, hours, number of workdays, PERC decides scope disputes
WASHINGTON Revised Code Annotated: Community College Negotiations Act: § 28B.52.010 through 28B.52.200 CB: CC | P	Academic employes of community college district	All covered employes. Chief administrators may be included in academic unit by election No specific provisions for union security.	Public Employment Relations Commission: 3 members appointed by governor	Curriculum, textbooks, in-service training, student teaching, personnel hiring and assignment practices, leaves of absence, salaries, noninstructional duties
WASHINGTON Revised Code Annotated: Public Employe Collective Bargaining Act: § 41.56.010 through 41.56.950 CB: K-12 | C	Public employes with specific exceptions. Act includes K-12 classified personnel	Appropriate units. Exclusive representation. Dues checkoff, service fees permitted. Union security provisions prevail over charter, ordinance, rule or regulation	Public Employment Relations Commission: 3 members appointed by governor	Grievance procedures, wages, hours, working conditions. Excludes matters delegated to other authority by ordinance, resolution or charter
WEST VIRGINIA				
WISCONSIN Statutes Annotated: Municipal Employe Relations Act: § 111.70 through 111.71 CB: K-12 | P-C	Any employe of a political subdivision with specific exceptions. Includes teachers and classified, K-12 level	All employes of one employer except executives, supervisors. Exclusive representation. Dues checkoff, service fees permitted	State Employment Relations Commission: 3 members appointed by governor	Wages, hours, and conditions of employment. Extensive management rights listed

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding, advisory recommendations through PERC.	PERB available. Binding arbitration permitted on disputed interpretation of agreement	Standard provisions for unfair practices, injunctive relief. No specific provisions for strikes	Written contract if requested by either party. No deadline specified	Act supersedes existing statutes where conflict exists. Contracts prevail over existing rules and regulations.
Mediation, fact-finding, advisory recommendations through PERC	No specific provisions	No discrimination because of exercise of rights. No specific provisions for strikes	Written contract not to exceed 3 years. No deadline specified	Contract is not binding on future actions of legislature.
Mediation, fact-finding, advisory recommendations through PERC. Binding arbitration for uniformed personnel	Must be bargained. May provide binding arbitration on disputed interpretation of agreement	Standard provisions for unfair practices; injunctive relief. Strikes prohibited, no penalties specified	Written contract not to exceed 3 years. No deadline specified	State also has Port District Employe Act: SB 34, L 1967
				State has no public employe collective bargaining legislation.
Mediation, fact-finding. Employment Relations Commission available	May be bargained	Standard provisions for unfair practices; no specific, penalties. Strikes prohibited; injunctive relief, fines deducted from salaries	Written and signed document. No deadline specified	State has policeman and fireman collective bargaining: WSA § 111.77.

State and Statutory Reference; Identification	Coverage; Employe Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
WISCONSIN Statutes Annotated: State Employment Labor Relations Act: § 111.80 through 111.97 CB CC | P-C PS | C	All state employes except 4-year postsecondary teachers. Includes 2-year postsecondary teachers, all postsecondary classified employes. Supervisors, management, etc. excluded	Statewide basis: 1 unit for education employes. Exclusive representation. Dues checkoff, service fees permitted	State Employment Relations Commission: 3 members appointed by governor	Wages, employe classification, fringes, hours and conditions of employment. Extensive management rights listed. Merit system protected
WYOMING				

DISTRICT OF COLUMBIA Public employes have bargaining rights by executive order of the Commissioner of D. C.

GUAM A 1969 public employe collective negotiations statute covers all classified and professional employes of the University of Guam and all other territorial public employes. The scope of bargaining covers only terms and conditions of employment.

VIRGIN ISLANDS Public employes have right to organize, join, meet and confer by executive order of governor.

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding. Employment Relations Commission available	May be bargained	Standard provisions for unfair practices; no specific penalties. Strikes prohibited; fines, suspension, lawsuit for violation	Written and signed document. No deadline specified	Tentative agreements must be submitted to Employment Relations Commission and Legislature for approval, implementation on cost or statutory matters. If rejected, renegotiation required.
				State has firefighters law: § 27-265 through § 27-273.

Coverage: Employe Classification; Level	Bargaining Unit: Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
Act currently covers private industry and commerce. Definition of *employer* excludes U.S. or state government and political subdivisions, persons or organizations under the Railway Labor Act, and labor organizations other than when acting as employer. H.R. 77 (Thompson, D-NJ) would strike exclusion of *state government and political subdivisions.* Definition of *employe* currently excludes agricultural, domestic, independent contractors, supervisors, those under the Railway Labor Act, and those within the definition of employer. *Supervisors* are persons having authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employes; or authority to direct other employes, adjust grievances, etc., using independent judgment. A *professional* employe is one whose work is predominately intellectual and varied in character, involving discretion and judgment; whose output cannot be standardized in relation to a given time period; and who utilizes advanced scientific knowledge or other specialized intellectual knowledge customarily acquired through postsecondary or hospital study.	Appropriate unit is determined by National Labor Relations Board. Professional employes may be included in nonprofessional employe unit only by majority vote of such professional employes. *Supervisors are excluded from coverage.* Exclusive representation. Union shop and closed shop are permitted except where prohibited by state law.	National Labor Relations Board: 5 members appointed by President with advice and consent of Senate; 5 year terms.	Employer and employe representative have mutual obligation to *meet and confer* in good faith with respect to *wages, hours, terms and conditions of employment, or negotiation of agreement.* Specific management rights are not delineated.

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Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices; Penalties, Strikes	Final form; Deadline Dates
Federal Mediation and Conciliation Service is available at request of either party; or may proffer services.	May be bargained. Federal Mediation and Conciliation Service is available as a last resort.	Standard *unfair practices* for employer/employe organization are listed. They include interference, restraint, coercion, discrimination, discharge because of complaint or testimony, refusal to bargain. NLRB administers filing of complaints, hearings, fact finding, injunction, court review and appeal. An appropriate state agency may assume jurisdiction of disputes over which NLRB declines jurisdiction. Lawsuits for violation of contract are permitted by and against labor organizations. *Strikes and lockouts* are permitted. Strikes imperiling national health or safety may be referred to a board of inquiry appointed by President to report findings of fact to President and thence to Federal Mediation and Conciliation Service. President may request injunction through Attorney General and U.S. District Court. Appeal provisions; 60-day period for settlement; public report, balloting of employes on final settlement offer, report to Congress by President with recommendations.	Written contract if requested by either party. No deadline dates specified.

PROPOSED NATIONAL PUBLIC EMPLOYMENT RELATIONS ACT

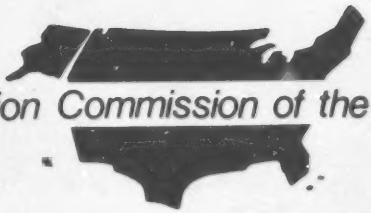
H.R. 1488

Coverage: Employe Classification: Level	Bargaining Unit: Type of Representation: Union Security	Administration	Scope of Bargaining: Management Rights
Employes of states and *their political subdivisions*; excluding appointed, elected. *Supervisors* are persons having authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employes; or responsibility to direct other employes, adjust grievances, using independent judgment.	Commission decides appropriate unit, considering community of interest, wages, hours, other working conditions. Except for firefighters, supervisors and non-supervisors [illegible] be in separate units. No provisions for separation or combination of professional and nonprofessional employes. Dues checkoff, service fees permitted.	National Public Employment Relations Commission: 5 members appointed by President with Senate Confirmation; 5-year terms. Regionalization. General Counsel for Commission appointed by President with Senate confirmation.	Employer and employe representative have mutual obligation to meet and negotiate on wages, hours and other conditions of employment. Specific management rights are not delineated.

Introduced in 94th Congress by Representative Edward R. Roybal (D-Calif.)

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices; Penalties, Strikes	Final form; Deadline Dates
Mediation and fact-finding available through Federal Mediation and Conciliation Service or other agency selected by parties. Recommendations, public report; final binding arbitration by mutual agreement.	May be bargained; may provide binding arbitration.	Standard *unfair practices* for employer/employe organizations are listed. They include interference, restraint, coercion, discrimination, discharge because of complaint or testimony, refusal to bargain. Commission administers filing of complaints, hearings, fact-finding, court injunction, review, appeal up to U.S. Supreme Court. District Courts have initial jurisdiction. *Strikes* are not prohibited, except during the 60-day period following a public fact-finding report.	Written contract if requested by either party. No deadline dates specified.

Comments: Regulatory or statutory matters bargained must be submitted to appropriate legislative body for approval. Suits for violation of contracts are permitted. The Act would supersede all previous statutes; preempt all contrary local ordinances, executive orders, legislation, rules or regulations adopted by any state or political subdivision or agents. States with "substantially equivalent" laws may apply for exemption from Act.



Education Commission of the States

The Education Commission of the States is a nonprofit organization formed by interstate compact in 1966. Forty-five states, Puerto Rico and the Virgin Islands are now members. Its goal is to further a working relationship among governors, state legislators and educators for the improvement of education. This report is an outcome of one of many Commission undertakings at all levels of education. The Commission offices are located at 300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203.